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# UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

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Case No. 2020-1386

**Zong**  
**(Applicant)**

**v.**

**Secretary-General of the United Nations**  
**(Respondent)**

**ORDER No. 374 (2020)**

1. On 11 February 2020, the United Nations Dispute Tribunal in New York rendered Judgment No. UNDT/2020/025 in the case of *Zong v. Secretary-General of the United Nations*, in which the Dispute Tribunal rejected Ms. Lihua Zong's challenge of the decision not to renew her temporary appointment with the Department for General Assembly and Conference Management. Under Article 7(1) of the Statute of the Appeals Tribunal (Statute), the parties had 60 days from receipt of the Judgment to file an appeal, i.e., by 11 April 2020.

2. On 11 April 2020, Ms. Zong filed an incomplete appeal. The Appeals Tribunal Registry (Registry) wrote to her twice using the e-mail address she had provided in her appeal form. The Registry was finally able to reach her with the contact telephone number she had indicated on her appeal form. She stated that she no longer worked at the United Nations and that her work e-mail address had been deactivated, hence, she had been unable to receive the Registry's e-mails. The Registrar gave her an additional ten days to perfect her appeal, by close of business on 6 May 2020.

3. On 4 May 2020, Ms. Zong filed a Request for Suspension, Waiver or Extension of Time Limits to file her Appeal on the grounds that she had been unable to receive the Registry's e-mails because her office e-mail address had been deactivated, and the Counsel representing her from the Office of Staff Legal Assistance had left the office so she had to submit a new request for legal representation. In addition, with the pandemic, she had been forced to work from home which meant that she had no access to regular office equipment and she had encountered technical difficulties with

her personal computer which was not well equipped with standard office software like PDF Pro.

4. Article 7(1)(c) of the Statute provides that an appeal must be “filed within 60 calendar days of the receipt of the judgement of the Dispute Tribunal ... or, where the Appeals Tribunal has decided to waive or suspend that deadline ..., within the period specified by the Appeals Tribunal”.

5. Article 7(3) of the Statute provides that “[t]he Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and only in exceptional cases”. Article 30 of our Rules of Procedure allows this Tribunal to shorten or extend a time limit “when the interests of justice so require”.

6. This Tribunal has repeatedly held that it has been strictly enforcing, and will continue to strictly enforce, the various time limits. However, because enforcing deadlines may lead to harsh consequences, the Appeals Tribunal will also carefully review any request for time limit waiver or extension, under the principles of exceptional circumstances and interests of justice.

7. Having reviewed the circumstances of the present case, this Tribunal finds that Ms. Zong has presented an exceptional case and the interests of justice will be served if her request is granted so as to give her an opportunity to complete her appeal.

8. **IT IS HEREBY ORDERED** that Ms. Zong’s request is **GRANTED** and that she may file her appeal by 31 May 2020.

Original and Authoritative Version: English

Dated this 15<sup>th</sup> day of May 2020  
in Hamburg, Germany.

*(Signed)*  
Judge Sabine Knierim,  
President

Entered in the Register on this 15<sup>th</sup> day  
of May 2020 in New York, United States.

*(Signed)*  
Weicheng Lin, Registrar